

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

Leo J. Hurley, Jr.
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STEVEN L. HADLOCK, SAHILY PAOLINE,
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LIFESCAN INC., and JOHNSON & JOHNSON
HEALTH CARE SYSTEMS, INC.,

Plaintiffs,

vs.

JEFFREY C. SMITH, GEOFFREY S. SWINDLE,
STEVEN L. HADLOCK, SAHILY PAOLINE,
DAVID GRANT, JUSTIN LEAVITT, BLAINE
SMITH, ALISON WISTNER, ADAM
KOOPERSMITH & ZB, N.A.,

Defendants.

Civil Action No.
2:17-CV-05552-CCC-CLW

**NOTICE OF MOTION TO
DISMISS PLAINTIFFS' FIRST
AMENDED COMPLAINT
PURSUANT TO FED. R. CIV.
P. 12(B)(2), FED. R. CIV. P.
12(B)(3), AND FED. R. CIV. P.
12(B)(6)**

PLEASE TAKE NOTICE that on February 5, 2018, or as soon thereafter as counsel may be heard, Connell Foley LLP, attorneys for defendants, Jeffrey C. Smith, Steven L. Hadlock, Sahily Paoline, David Grant, and Blaine Smith, shall move before the Honorable Claire C. Cecchi, U.S.D.J., United States District Court, at the Martin Luther King Jr., Federal Building and Courthouse, Newark, New Jersey for the entry of an Order Dismissing Plaintiffs' First Amended Complaint pursuant to Fed. R. Civ. P. 12(b)(2), 12(b)(3), and 12(b)(6) and for other such relief the Court deems necessary and appropriate under the circumstances.

PLEASE TAKE FURTHER NOTICE that Defendants shall rely upon the Memorandum of Law in Support of the Defendants' Motion to Dismiss the First Amended

Complaint Pursuant to Fed. R. Civ. P. 12(b)(2), 12(b)(3), and 12(b)(6), and any reply submissions filed hereafter. A Proposed Form of Order also accompanies this motion.

BY: *s/ Leo J. Hurley, Jr.*

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DATE: January 3, 2018